

Remarks

Reconsideration and allowance of the subject application are respectfully solicited.

Claims 1-10 are now pending in the application, with Claims 1, 9 and 10 being independent. Claims 11, 16 and 21 have been cancelled without prejudice. Claim 10 has been amended herein.

Applicant notes with appreciation the indication that Claims 1-9 are allowed.

Claims 10 and 21 were rejected under 35 U.S.C. § 101, because the claimed invention is allegedly directed to non-statutory subject matter. Without conceding the propriety of this rejection, Applicant amended Claim 10 to be directed to a computer-readable medium. Reconsideration and withdrawal of the § 101 rejection are requested.

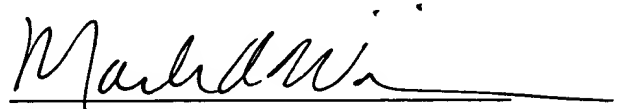
The Office Action set forth rejections of Claims 11, 16 and 21 under 35 U.S.C. § 103. Claims 11, 16 and 21 have all been cancelled, and the remaining claims are seen to be in condition for allowance for the reasons noted above. The foregoing actions have been taken without prejudice or disclaimer of subject matter, and without conceding correctness of the rejections, but rather strictly to obtain an earlier allowance and to expedite issuance. In particular, it is Applicant's current intention to file a divisional application, to pursue the subject matter of the rejected claims.

This Amendment After Final Rejection does not raise new issues, is an earnest attempt to advance prosecution and reduce the number of issues, and is believed to clearly place this application in condition for allowance. This Amendment was not earlier presented because Applicant earnestly believed that the prior Amendment placed the subject application in condition for allowance. Accordingly, entry of this Amendment under 37 CFR 1.116 is respectfully requested.

Applicant submits that the present application is in condition for allowance. Favorable reconsideration, withdrawal of the rejections set forth in the above-noted Office Action, and an early Notice of Allowability are requested.

Applicant's undersigned attorney may be reached in our Washington, D.C. office by telephone at (202) 530-1010. All correspondence should continue to be directed to our below-listed address.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Mark A. Williamson", with a long horizontal line extending to the right.

Mark A. Williamson
Attorney for Applicant
Registration No. 33,628

FITZPATRICK, CELLA, HARPER & SCINTO
30 Rockefeller Plaza
New York, New York 10112-3800
Facsimile: (212) 218-2200

MAW\ntt\lp

DC_MAIN 209279v1